UNITED STATES PATENT AND TRADEMARK OFFICE

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UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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Ex parte PATRICE L. MINER, ZEKE ODINS-LUCAS,
DAVID G. DEVORCHIK, CHARLES CUMMINS, and
PAUL A. GUSMORINO

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Appeal 2016-006139
Application 13/928,860
Technology Center 2100

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Before ST. JOHN COURTENAY III, ELENI MANTIS MERCADER, and
ALEX S. YAP, *Administrative Patent Judges*.

MANTIS MERCADER, *Administrative Patent Judge*.

DECISION ON APPEAL

STATEMENT OF CASE

Appellants appeal under 35 U.S.C. § 134(a) from the Examiner's Final Rejection of claims 1–20, which constitute all the claims pending in this application. We have jurisdiction under 35 U.S.C. § 6(b).

We affirm.

THE INVENTION

The claimed invention is directed to an address bar user interface control including one or more interactive segments. A segment includes two or more filters or selection criteria which are logically combined for selecting content. Abstract.

CLAIMED SUBJECT MATTER

Claim 1, reproduced below, is illustrative of the claimed subject matter:

> 1. One or more computer readable storage devices storing computer-useable instructions that, when used by one or more computing devices, cause the one or more computing devices to perform operations comprising:
> displaying an address bar having an interactive segment including at least two selection criteria logically combined for selecting content for display irrespective of a file system location of the content.

REFERENCES

The prior art relied upon by the Examiner in rejecting the claims on appeal is:

Moehrle   US 7,216,301 B2   May 8, 2007

REJECTION

The Examiner made the following rejection:

Claim 1–20 stands rejected under 35 U.S.C §102(e) as being anticipated by Moehrle.

ISSUE

The pivotal issue is whether the Examiner erred in finding that Moehrle teaches the limitation of "displaying an address bar having an interactive segment including at least two selection criteria logically combined for selecting content for display," as recited in claim 1.

ANALYSIS

We adopt the Examiner's findings in the Answer and Final Action and we add the following primarily for emphasis. We note that if Appellants failed to present arguments on a particular rejection, we will not unilaterally review those uncontested aspects of the rejection. *See Ex parte Frye*, 94 USPQ2d 1072, 1075 (BPAI 2010) (precedential); *Hyatt v. Dudas*, 551 F.3d 1307, 1313–14 (Fed. Cir. 2008) (The Board may treat arguments Appellants failed to make for a given ground of rejection as waived).

Appellants argue that Moehrle does not disclose the limitation of "an address bar having an interactive segment including at least two selection criteria logically combined for selecting content for display," as recited in claim 1 (App. Br. 5). Appellants assert that Moehrle discloses a segment (i.e., active link) in the "Active Path" corresponding with a particular location (or function) in the hierarchy (App. Br. 5). According to Appellants nothing in Moehrle indicates that a segment in the "Action Path" includes at

least two selection criteria as in the claims (App. Br. 5). Appellants assert that in Moehrle each active link corresponds to a level in the hierarchical structure, and a user directly may directly access any given level of the hierarchical structure by selecting a given active link (citing col. 9, ll. 30–33; App. Br. 5).

Appellants explain that their Figure 5C shows an address bar 402 having an interactive segment 520 that logically combines two selection criteria, "2002" and "2003" (App. Br. 6). Appellants further explain that based on these logically combined selection criteria, documents that were created in either "2002" or "2003" satisfy the logical expression and are presented (App. Br. 6). Figure 5C of Appellants' Specification is reproduced below.
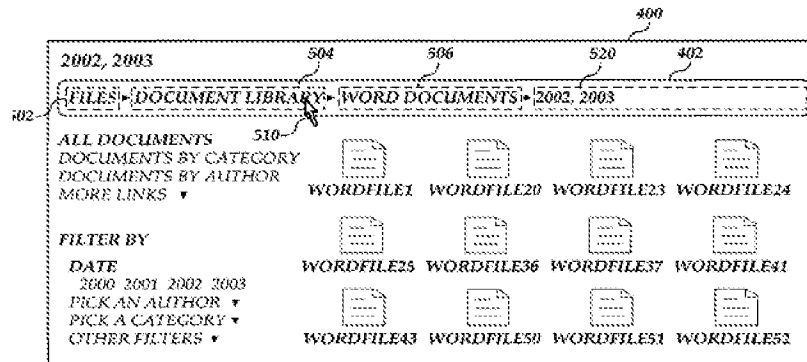
Fig. 5C

Appellants' Specification Figure 5C shows the logically combined selection criteria and documents displayed that satisfy the logical expression.

Appellants contrast their invention with Moehrle Figure 5C indicating an Active Path 100 with four active links 101, 102a, 102b, and 103 (App. Br. 6). Each of those active links corresponds with a particular location in the hierarchical menu (App. Br. 6). For instance, selecting active link 102b

would cause the content associated with 1.2.3 to be displayed (App. Br. 6).
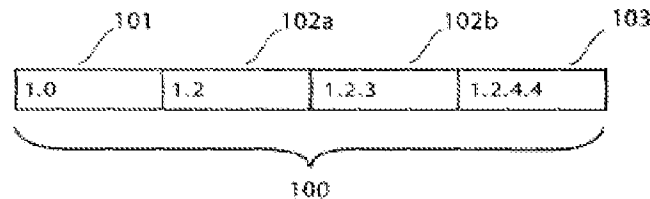Figure 5C of Moehrle is reproduced below.

FIG. 5C

Moehrle's Figure 5C shows an active path 100.

We are not persuaded by Appellants' argument. The Examiner points
out that each menu structure contains plural items, each item being at least
one of function, a pointer to a location, and a pointer to another level (Ans.
2). In other words, item 102b (i.e., 1.2.3) would have required the logical
selection of items 101 (i.e., 1.0) and 102a (1.2), leading to the logical
selection criteria of 1.0, 1.2, 1.2.3 (*see* Figs. 4A–4C). Rolling over an active
link 102b or 1.2.3 results in display of siblings 1.2.3.1, 1.2.3.2, 1.2.3.3,
1.2.3.6 (Ans. 2; *see* Figs. 4B–C and 5A; col. 5, ll. 11–40). The Examiner's
findings, regarding logical selection, are consistent with Appellants'
Specification under the broadest reasonable interpretation. In Appellants'
Specification, the term "selection criteria" corresponds to a filter, and logical
operands or Boolean operators (i.e., AND, OR, *NOT*, NAND, NOR, and
XOR) used to satisfy all preceding filters or selection criteria (Spec. paras.
43–44). As can be seen from Moehrle's Figures 4B and 4C, the segment
102a is a logical combination of filters or a logical expression of selecting
1.2 and excluding 1.1, excluding 1.3, excluding 1.4, and excluding 1.5 (*see*
Figs. 4B and 4C). In other words, the segment 102a is a logical combination

of 1.2 with a Boolean operator NOT 1.1, NOT 1.3, NOT 1.4, NOT 1.5.
Furthermore, as Appellants' Specification states, "[i]t will be appreciated
that a logical combination of filters or selection criteria may occur within
one or more segments in the address bar" (para. 44). Similarly, the 102b
segment of Moehrle includes the selection criteria of the logical
combinations or filters of the previous segments 101 and 102a. Thus, the
claim limitation is met by Moehrle disclosing an address bar 100 having an
interactive segment 102b or 1.2.3, including at least two selection criteria of
the filters of segments 101, 102a, 102b logically combined for selecting
content for display of the siblings of the active link 102b (*see* Figs. 4B and
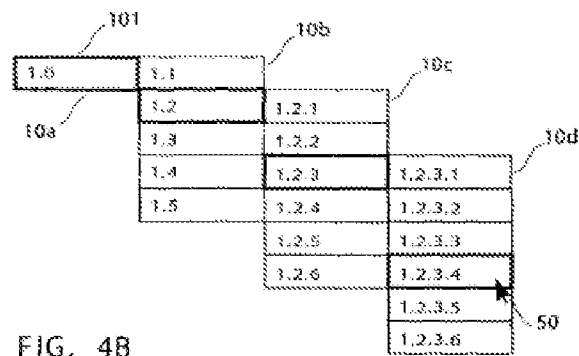4C). Figure 4B of Moehrle is reproduced below.

FIG. 4B

Figure 4B of Moehrle depicts the display of siblings of 102b.

Appellants generally argue that Moehrle does not disclose the
particular features of claims 2, 3, 4, 9, 10, 14, and 20 (App. Br. 8–12) and
only particularly argue that there is nothing in Moehrle that discloses
multiple menu items combined to retrieve content that satisfies the multiple
menu items (App. Br. 8–12).

As we discussed above Moehrle teaches the disputed limitation of "an
address bar having an interactive segment including at least two selection

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criteria logically combined for selecting content for display," as recited in claim 1.

Accordingly, we affirm the Examiner's rejection of representative claim 1 and for the same reasons the rejection of claims 2–20. *See* 37 C.F.R. § 41.37(c)(1)(iv).

CONCLUSION

The Examiner did not err in finding that Moehrle teaches the limitation of "displaying an address bar having an interactive segment including at least two selection criteria logically combined for selecting content for display," as recited in claim 1.

DECISION

For the above reasons, we affirm the Examiner's rejection of claims 1–20 under § 102.

No time period for taking any subsequent action in connection with this appeal may be extended under 37 C.F.R. § 1.136(a)(1)(iv).

AFFIRMED